

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST

THUAN Q. TRAN,

FINAL DECISION AND ORDER

D/B/A LA NAILS,

LS99060810BAC

RESPONDENT.

Division of Enforcement Case No. 98 BAC 111 and 98 BAC 112

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

*Thuan Q. Tran
LA Nails
9018 N. Joyce
Milwaukee, WI 53224*

*Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. LA Nails, 5934 N. 76th St., Milwaukee, WI 53218, is duly licensed as a manicuring establishment in the state of Wisconsin (license #916). This license was first granted on May 13, 1997. Thuan Q. Tran is listed with the Department of Regulation and Licensing as the owner of LA Nails. As owner, Ms. Tran is and was at all times relevant to this action responsible for compliance with ch. 454, Stats. and Wisconsin Administrative Code chs. BC 2, 3 and 4.
2. On exact dates unknown, but at least on November 13, 1998, LA Nails did not disinfect reusable manicure instruments prior to use on patrons.
3. On exact dates unknown, but at least on November 13, 1998, LA Nails did not dispose of the manicure instruments that could not be cleaned and disinfected.
4. On exact dates unknown, but at least on November 13, 1998, LA Nails did not possess a disinfectant registered with the U.S. environmental protection agency as a tuberculocidal agent.

5. On exact dates unknown, but at least on November 13, 1998, LA Nails did not have posted in a conspicuous place the current licensure of the manicurists on duty.

6. In resolution of this matter, Ms. Tran consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶¶ 2-5, above, Thuan Q. Tran, d/b/a LA Nails, violated sec. 454.06(7) and 454.15(2)(i) and Wis. Admin. Code §§ BC 4.01(1), BC 4.02(3) and BC 4.10.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Thuan Q. Tran, d/b/a LA Nails, shall pay to the Department of Regulation and Licensing a forfeiture of FOUR HUNDRED dollars (\$400.00). Payment shall be submitted within 60 days from the date of this order. Payment shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor

Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

IT IS FURTHER ORDERED that in the event Respondent fails to timely submit any payment of the forfeiture as set forth above, the establishment license of LA Nails (#916) **SHALL BE SUSPENDED**, without further notice or hearing, until Respondent has complied with the terms of this Order.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Barbara Flaherty

June 8, 1999

A member of the Board

Date